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OFFICE OF PETITIONS

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In re Patent of Corrado	:	
Patent No. 5,731,655	:	
Issue Date: March 24, 1998	:	
Application No. 08/614,212	:	Decision on Petition
Filing Date: March 12, 1996	:	
For: Spark Plug With 360 Degree	:	
Firing Tip	:	

This is a decision on the petition under 37 C.F.R. § 1.378(c) filed September 24, 2012.

The petition is **granted**.

Background

The 11.5 year maintenance fee for the patent could have been paid from March 24, 2009, to September 24, 2009, or with a surcharge of \$65 from September 25, 2009, to March 24, 2010. The fee was not timely paid. As a result, the patent expired on March 25, 2010.

A petition under 37 C.F.R. § 1.378(b) and the 11.5 year maintenance fee were filed January 23, 2012.

Papers supplementing the petition were filed on March 1, 2012.

A request for information was mailed on March 1, 2012. The request does not take into consideration the papers filed on the same date.

The Office issued a second request for information on March 19, 2012.

A reply to the second request was filed May 23, 2012. Papers supplementing the reply were filed June 7, 2012.

The Office issued a decision dismissing the petition under 37 C.F.R. § 1.378(b) on July 27, 2012.

A petition under 37 C.F.R. § 1.378(c) was filed September 24, 2012. The petition included a check for the required \$1,640 surcharge, which was not honored by Petitioner's bank. Petitioner subsequently re-submitted the \$1,640 surcharge with a payment of the \$50 processing fee required when a check is "refused or charged back."

Discussion

A petition to accept the unintentionally delayed payment of a maintenance fee under 35 U.S.C. § 41(c) and 37 C.F.R. § 1.378(c) must be accompanied by:

- (1) A statement that the delay was unintentional;
- (2) Payment of the appropriate maintenance fee, unless previously submitted; and
- (3) Payment of the surcharge set forth in 37 CFR 1.20(i)(2).

Petitioner has supplied the items set forth above. Therefore, the maintenance fee in this case is hereby accepted and the above-identified patent is hereby reinstated as of the mail date of this decision.

Telephone inquiries regarding this communication should be directed to Petitions Attorney Steven Brantley at (571) 272-3203.



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